

## COMMERCIAL RELATIONS

*Exchange of notes at Tehran May 14, 1928*

*Entered into force May 14, 1928; operative with respect to certain provisions from May 10, 1928*

*Supplemented by agreement of July 11, 1928*<sup>1</sup>

*Replaced June 16, 1957, by treaty of August 15, 1955*<sup>2</sup>

47 Stat. 2644; Executive Agreement Series 19

*The American Minister to the Acting Minister of Foreign Affairs*

LEGATION OF THE  
UNITED STATES OF AMERICA  
TEHERAN, PERSIA, *May 14, 1928*

EXCELLENCY:

I have the honor to inform you that my Government, animated by the sincere desire to terminate as soon as possible the negotiations now in progress with the Imperial Government of Persia in regard to the conclusion of a Treaty of Friendship, as well as Establishment, Consular, Commercial and Tariff Conventions between the United States of America and Persia, has instructed me to communicate to the Imperial Government of Persia in its name the following provisional stipulations:

1) After May 10, 1928, the diplomatic representation of Persia in the United States, its territories and possessions, shall enjoy, on a basis of complete reciprocity, the privileges and immunities derived from generally recognized international law.

The Consular representatives of Persia, duly provided with exequatur, will be permitted to reside in the United States, its territories and possessions, in the districts where they have been formerly admitted.

They shall, on a basis of complete reciprocity, enjoy the honorary privileges and personal immunities in regard to jurisdiction and fiscal matters secured to them by generally recognized international law.

2) After May 10, 1928, Persian nationals in the United States, its territories and possessions, shall, on a basis of complete reciprocity, be received

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<sup>1</sup> EAS 20, *post*, p. 1270.

<sup>2</sup> 8 UST 899; TIAS 3853.

and treated in accordance with the requirements and practices of generally recognized international law.

In respect to their persons and possessions, rights and interests, they shall enjoy the fullest protection of the laws and authorities of the Country, and they shall not be treated, in regard to the above mentioned subjects, in a manner less favorable than the nationals of any other foreign country.

In general, they shall enjoy in every respect the same treatment as the nationals of the Country, without, however, being entitled to the treatment reserved alone to nationals to the exclusion of all foreigners.

Matters of personal status and family law will be dealt with in separate notes to be concluded and exchanged at the earliest possible date.<sup>3</sup>

3) After May 10, 1928, and as long as the present stipulations remain in force, and on a basis of complete reciprocity, the United States will accord to merchandise produced or manufactured in Persia upon entry into the United States, its territories and possessions, the benefits of the tariff accorded to the most favored nation; from which it follows that the treatment extended to the products of Persia should not be less favorable than that granted to a third country.

In respect to the regime to be applied to the Commerce of Persia in the matter of import, export, and other duties and charges affecting commerce as well as in respect to transit warehousing and the facilities accorded commercial travelers' samples; and also as regards commodities, tariffs and quantities in connection with the licensing or prohibitions of imports and exports, the United States shall accord to Persia, on a basis of complete reciprocity, a treatment not less advantageous than that accorded to the commerce of any other country.

It is understood that no higher or other duties shall be imposed on the importation into or disposition in the United States, its territories or possessions, of any article, the product or manufacture of Persia, than are or shall be payable on like articles, the product or manufacture of any foreign country; similarly, and on a basis of complete reciprocity, no higher or other duties shall be imposed in the United States, its territories or possessions, on the exportation of any articles to Persia than are payable on the exportation of like articles to any foreign country.

On a basis of complete reciprocity, any lowering of duty of any kind that may be accorded by the United States in favor of the merchandise of any other country will become immediately applicable without request and without compensation to the commerce of Persia with the United States, its territories and possessions.

Providing that this understanding does not relate to:

1) The treatment which the United States accords or may hereafter accord to the commerce of Cuba, or any of the territories or possessions of the

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<sup>3</sup> EAS 20, *post*, p. 1270.

United States, or the Panama Canal Zone, or to the treatment which is or may hereafter be accorded to the commerce of the United States with any of its territories or possessions, or to the commerce of its territories or possessions with one another;

2) Prohibitions or restrictions authorized by the laws and regulations in force in the United States, its territories or possessions, aiming at the protection of the food supply, sanitary administration in regard to human, animal or vegetable life, and the enforcement of police and revenue laws.

The present stipulations shall become operative on the day of signature, and shall remain respectively in effect until the entry in force of the Treaty and Conventions referred to in the first paragraph of this note, or until thirty days after notice of their termination shall have been given by the Government of the United States to the Imperial Government of Persia, but should the Government of the United States be prevented by future action of its legislature from carrying out the terms of these stipulations the obligations thereof shall thereupon lapse.

I shall be glad to have your confirmation of the understanding thus reached.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

HOFFMAN PHILIP

HIS EXCELLENCY,

MIRZA FAT'HOLLAH KHAN PAKREVAN,  
*Acting Minister for Foreign Affairs,*  
*Teheran.*

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*The Acting Minister of Foreign Affairs to the American Minister*

[TRANSLATION]

MINISTRY OF FOREIGN AFFAIRS

TEHERAN, *May 14, 1928*

MR. MINISTER,

I have the honor, in the name of my Government, to acknowledge receipt of and place on record the contents of your note of to-day's date, specifying the provisional stipulations relative to diplomatic, consular, customs and other relations between Persia and the United States of America.

Please accept, Mr. Minister, the assurance of my high consideration.

F. PAKREVAN

HIS EXCELLENCY,

MR. HOFFMAN PHILIP,  
*Minister of the United States of America,*  
*Teheran.*

*The Acting Minister of Foreign Affairs to the American Minister*

[TRANSLATION]

TEHERAN, May 14, 1928

MR. MINISTER,

I have the honor to advise you that my Government, animated by the sincere desire to terminate as soon as possible the negotiations now in progress with the Government of the United States relative to the conclusion of a treaty of friendship, as well as establishment, consular, customs, and commercial conventions, has directed me to communicate to you, in its name, the following provisional stipulations:

1. On and after May 10, 1928, the diplomatic representation of the United States of America in Persian territory shall enjoy, on condition of complete reciprocity, the privileges and immunities sanctioned by generally recognized international law.

The consular representatives of the United States of America in Persian territory, duly provided with an exequatur, shall be permitted, on condition of complete reciprocity, to reside there in the localities to which they were admitted up to that time.

They shall enjoy, on the condition of complete reciprocity, the honorary privileges and personal immunities in regard to jurisdiction and fiscal matters sanctioned by generally recognized international law.

2. On and after May 10, 1928, the nationals of the United States in Persia shall on the basis of complete reciprocity be admitted and treated in accordance with the rules and practices of generally recognized international law.

In respect of their persons and property, rights and interests, they shall enjoy there the fullest protection of the laws and the territorial authorities of the country, and they shall not be treated in regard to the above-mentioned matters in a manner less favorable than the nationals of other foreign countries.

They shall enjoy, in every respect, the same general treatment as the nationals of the country, without being entitled, however, to the treatment reserved to nationals alone, to the exclusion of all other foreigners.

Matters of personal status and family law shall be treated in special notes to be drawn up and exchanged as soon as possible.

3. On and after May 10, 1928, and as long as the present provisions shall remain in force, and on condition of complete reciprocity, merchandise produced or manufactured in the United States, its territories and possessions, on their entry into Persia, shall enjoy the tariff accorded to the most favored nation, so that the treatment accorded to the United States for its merchan-

dise shall not be less favorable than the legal treatment accorded to a third country.

In respect to the régime applicable to the commerce of the United States of America, in the matter of import and export and other duties and charges relating to commerce, as well as to transit, warehousing, and the facilities accorded to commercial travelers' samples, and as to facilities, tariffs, and quantities in connection with the licensing and prohibition of imports and exports, Persia shall accord to the United States, its territories, and possessions, on condition of complete reciprocity, a treatment not less favorable than that accorded to the commerce of any other foreign country.

It is understood that other or higher duties shall not be applied to the importation into or the sale in Persia of any articles, produced or manufactured in the United States, its territories and possessions, than those which would be payable on like articles produced or manufactured by any other foreign country.

Similarly and on condition of complete reciprocity, no other or higher duties shall be imposed in Persia on the exportation of any articles to the United States, its territories or possessions, than those which would be payable on the exportation of like articles to any other foreign country.

On condition of complete reciprocity, any lowering of duties of any kind that may be granted by Persia in favor of the products of any other country shall be immediately applicable, without request and without compensation, to the commerce of the United States, its territories and possessions, with Persia.

It is understood that these provisions do not refer to the prohibitions and restrictions authorized by the laws and regulations in force in Persia for protection of the food supply, sanitary administration in regard to human, animal, or vegetable life, the interests of public safety and fiscal interests.

The stipulations of the present note shall go into effect to-day and they shall remain respectively in force until the entry into effect of the corresponding treaty and conventions referred to in the first paragraph of this note or until the expiration of a period of thirty days from the notice which may be given to the Government of the United States by my Government of its intention to terminate them, but in case my Government should be prevented from fulfilling its engagements by the effect of a legislative measure, these stipulations shall lapse.

I would be glad to have confirmation of our understanding on these points. Please accept, Mr. Minister, the assurance of my high consideration.

PAKREVAN

HIS EXCELLENCY MR. HOFFMAN PHILIP  
*Minister of the United States of America*  
*at Teheran*

*The American Minister to the Acting Minister of Foreign Affairs*

LEGATION OF THE  
UNITED STATES OF AMERICA  
TEHERAN, PERSIA, *May 14, 1928*

EXCELLENCY:

I have the honor to inform you, in the name of my Government, that I have received and taken note of the contents of your note of to-day's date setting forth provisional stipulations in regard to Diplomatic, Consular, tariff and other relations between the United States and Persia.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

HOFFMAN PHILIP

HIS EXCELLENCY,  
MIRZA FAT'HOLLAH KHAN PAKREVAN,  
*Acting Minister for Foreign Affairs,*  
*Teheran.*

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*The American Minister to the Acting Minister of Foreign Affairs*

[TRANSLATION]

LEGATION OF THE  
UNITED STATES OF AMERICA  
TEHERAN, *May 14, 1928*

MR. ACTING MINISTER,

I would be very glad to receive from Your Excellency an assurance on the part of the Imperial Government that American missionaries in Persia will be authorized, as in the past, to carry on their charitabe and educational work.

I take this occasion to renew to you, Mr. Acting Minister, the assurances of my high consideration.

HOFFMAN PHILIP

HIS EXCELLENCY,  
MIRZA FAT'HOLLAH KHAN PAKREVAN,  
*Acting Minister for Foreign Affairs,*  
*Teheran.*

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*The Acting Minister of Foreign Affairs to the American Minister*

[TRANSLATION]

TEHERAN, *May 14, 1928*

MR. MINISTER,

In reply to your request relative to American missionaries, I have the honor to inform you that they will be authorized to carry on their charitable and

educational work on the condition that it contravenes neither the public order nor the laws and regulations of Persia.

Please accept, Mr. Minister, the assurance of my high consideration.

F. PAKREVAN

HIS EXCELLENCY,

MR. HOFFMAN PHILIP,

*Minister of the United States of America,  
Teheran.*